

May 17, 2010 2:36 PM

TRACEY CORDES, CLERK
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
BY: dmh /DEFENDANT'S RIGHTS
(in a Felony Case)

U.S. v. CASE E. McCALLA

Case No. 1:10-cr-105

You have the right to have an attorney at every stage of this proceeding against you. You may hire your own attorney, or, if you cannot afford an attorney, the court will appoint one to represent you at no charge.

You have the right not to incriminate yourself, that is, the right to remain silent at all times. Any statement you do make may be used against you at trial.

You have the right to have the charges against you reviewed by a grand jury. A grand jury consists of at least 16 and not more than 23 persons. The function of the grand jury is to decide whether there is probable cause to believe that a crime has been committed and that you are the one who committed it. If at least 12 grand jurors find probable cause, the grand jury will return an "indictment," and the charges against you can proceed to trial. If the grand jury fails to return an indictment, the charges against you may be dropped.

You have the right to plead not guilty and the right to a trial by a jury of 12 persons selected at random from this district. You are presumed to be innocent, and the government has the burden of proving you guilty beyond a reasonable doubt.

You have the right to a speedy, public, jury trial.

At trial, you have the right to testify (or remain silent), to present evidence, to confront and cross-examine the witnesses against you, to call witnesses in your own behalf, and to compel their attendance by subpoena.

You may plead any one of three ways: not guilty, guilty, or, with the consent of the court, no contest. If you refuse to plead, a plea of not guilty will be entered.

If you plead guilty or no contest, there will be no trial of any kind. By so pleading, you give up your right to a trial by jury or judge, your right against self-incrimination, and your right to confront and cross-examine witnesses against you and to call witnesses in your own behalf.

I certify that I have read and understand the above.

Dated: May 17, 2010
Defendant's Signature
Attorney's Signature